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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO.1133 of 2007
IN
FIRST APPEAL NO.2365 of 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr.J.J.Xavier i/b. R.A.Malondkar
for the Applicant

Mr.Sakhardande i/b Mrs.S.S.Wagh
for the Respondents

CORAM : ANOOP V. MOHTA,J.
DATED : 29th September, 2007

P.C.

. By order dated 16-8-2006 after hearing both the parties, the Court has observed as follows while granting status-quo:

Learned counsel for the corporation submits, that this structure in question according to the Corporation, is in the area of road widening. He seeks expeditious hearing of these appeals.

Learned Counsel for

private party submits, that the appellant in F.A.No.2365 of 2005 is carrying out business activity in this suit property. Learned counsel for the Corporation, submits that status-quo as of today in relation to suit property can be directed to be maintained.

2. By this application on similar foundation, the submission is that order of status-quo is hindering the development of road widening project and causing hardship to the public.

3. Having considered the same submission at the time of granting status-quo in question, there is no question of reconsidering the same unless the circumstances are changed and/or of such a glaring nature which require this Court to vacate the status-quo order which has been inforce since 16-8-2006.

4. In view of this, present civil application is rejected. However, considering the order already passed the appeal be listed for final hearing yearwise after twelve weeks.

[ANOOP V. MOHTA,J.]